

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WALTER LEE HALL,

Plaintiff,

v.

KEVIN M. CHAPMAN,

Defendant.

Case No. 15-13771
Hon. Terrence G. Berg

ORDER ADOPTING REPORT AND RECOMMENDATION
(DKT. 51)

This matter is before the Court on Magistrate Judge Anthony P. Patti's December 20, 2017 Report and Recommendation (Dkt. 51), recommending that Defendants' Motion to Dismiss (Dkt. 45) be GRANTED.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the

district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of December 20, 2017 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Patti's Report and Recommendation of December 20, 2017 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendants' Motion to Dismiss is **GRANTED** and that Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

Dated: January 26,
2018

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically filed, and the parties and/or counsel of record were served on January 26, 2018.

s/A. Chubb
Case Manager